

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

THE STATE OF TEXAS,

Plaintiff,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of Education, et al.,

Defendants.

No. 4:23-cv-604-O

**JOINT MOTION TO HOLD DEFENDANTS' DEADLINE
TO RESPOND TO COMPLAINT IN ABEYANCE**

The parties respectfully move to hold Defendants' deadline to respond to the Complaint in this matter in abeyance pending further order of the Court. On August 15, 2023, the Court ordered the parties to confer regarding scheduling by August 29, and to prepare and submit a Report Regarding Contents of Scheduling Order ("Joint Report") by September 12, 2023. Pursuant to the Court's order, the parties have conducted initial discussions concerning a schedule for dispositive motions practice in this matter, including a schedule under which the parties would brief cross-motions for summary judgment rather than engage in an initial round of motion to dismiss briefing. The parties intend to propose such a schedule in their forthcoming Joint Report. For that reason, there is good cause to hold Defendants' deadline to respond to the Complaint in abeyance while the parties conduct further discussions regarding scheduling, which may render a separate answer or motion to dismiss unnecessary.

Dated: August 23, 2023

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Respectfully submitted,

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CERTIFICATE OF CONFERENCE

I hereby certify that on August 22 and 23, 2023, I conferred by email with counsel for Plaintiff concerning the relief requested in this filing. Counsel for Plaintiff indicated that Plaintiff joined the motion.

/s/ John T. Lewis
John T. Lewis

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2023, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis
John T. Lewis